IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1974 OF 2007

Hilal Hashim Mohammed Azami & Ors. ...Petitioners
V/s.
Jamal Hashim Mohammed Azami & Ors. ...Respondents

Mr.A.B. Vagyani for the Petitioners.
Mr.Rahul Kak for Respondent No.1.
Mr.S.M. Sabrad for Respondent no.2.
Mrs.A.R.S. Baxi for Respondent no.3.

CORAM : V.M. KANADE, J.

DATED : JULY 9, 2007

P.C. :-

1. Heard the learned Counsel for the petitioner and the learned Counsel for the respondents.

2. The petitioner takes exception to the order passed by the District Judge and Additional Sessions Judge whereby his appeal challenging the order passed by the trial Court rejecting his application for injunction was dismissed.

3. A suit is filed by the petitioner in which an application for temporary injunction is filed. This application was rejected. Thereafter, he filed another application for the same relief on account of change in

the circumstances vide Exhibit 48 which also was rejected. Thereafter, Misc.Appeal filed against the order passed on Exhibits 48 and 50.

4. The learned Counsel for the respondents submits that the trial has already begun and the evidence of the plaintiff is almost over and within a short period, the final order will be passed in the suit which is filed by the plaintiff.

5. In view of this, I do not see any reason to interfere with the order passed by the lower Appellate Court. The trial Court, however, is directed to expedite the hearing of the suit and decide the claim, as expeditiously as possible and in any case, within a period of two months. The trial Court will not be influenced by the observations made by this Court while disposing of this writ petition.

6. All contentions are kept open.

. Writ petition is dismissed.

(V.M. KANADE, J.)